

Message Text

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PAGE 01 CARACA 07084 01 OF 02 291216Z

44

ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 IO-14 OIC-04 FEA-02 AID-20

CEQ-02 CIAE-00 COA-02 COME-00 DODE-00 EB-11 EPA-04

INR-11 L-03 NSF-04 NSC-07 NSAE-00 PM-07 RSC-01 SCI-06

SS-20 SP-03 H-03 PA-04 PRS-01 ACDA-19 DOTE-00 FMC-04

CG-00 SWF-02 AEC-11 CIEP-03 CEA-02 JUSE-00 OMB-01

AF-10 EA-11 EUR-25 NEA-14 TRSE-00 CAB-09 FAA-00 DRC-01

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FM AMEMBASSY CARACAS

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INFO USUN NEW YORK 715

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FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: WEEKLY UNCLASSIFIED SUMMARY REPORT JULY 19-25

1. SUMMARY: IN COURSE OF SHORT WEEK DUE TO VENEZUELAN NATIONAL DAY
COMMITTEES CONTINUED COMBINATION OF FORMAL AND INFORMAL MEETINGS.
U.S. MADE STATEMENTS ON STRAITS IN COMMITTEE 11 AND ON SCIENTIFIC
RESEARCH IN COMMITTEE III. U.S. AND USSR STATEMENTS ON STRAITS BOTH
STRESSED CENTRAL IMPORTANCE OF ACCEPTABLE REGIME. U.S. STRAITS
STATEMENT INTENDED TO EXPLAIN HOW U.S. POSITION ON TRANSIT WOULD
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PAGE 02 CARACA 07084 01 OF 02 291216Z

ALSO MEET LEGITIMATE COASTAL STATE INTEREST IN SAFETY, SECURITY,

POLLUTION ETC. AND ALSO STRESSED IMPORTANCE OF OVERFLIGHT. STATEMENT ON SCIENTIFIC RESEARCH POINTED OUT DIFFICULTIES IN COST AND INCENTIVE OF HAVING TO OBTAIN PRIOR CONSENT OF EACH COASTAL STATE IN AREA COVERING ONE THIRD OF THE OCEANS. WEEK WAS CHARACTERIZED BY SENSE OF DRIFT AN INABILITY TO BRIDGE GAP BETWEEN GENERAL OUTLINES OF AGREEMENT AND HARD NEGOTIATIONS ON SPECIFICS. END SUMMARY.

2. COMMITTEE I: DEEP SEABED REGIME: A. COMMITTEE CONTINUED IN INFORMAL SESSIONS READING OF REGIME ARTICLES AS PREVIOUSLY DRAFTED. DISCUSSION ON QUESTION OF ARTICLE 9 ON WHO MAY EXPLOIT THE SEABED, WITH U.S. INTRODUCING THEN WITHDRAWING A PROPOSED SUBSTITUTE TEXT, SINCE IT EVIDENT THAT COMMITTEE NOT YET PREPARED TO NEGOTIATE ON THIS CENTRAL ISSUE WHICH CONCERNS ALTERNATIVES OF NON-DISCRIMINATORY ACCESS TO SEABED MINERALS VERSUS EXPLOITATION BY THE PROPOSED "ENTERPRISE". PERU ONCE AGAIN RESPONDED STRIDENTLY TO U.S. POSITION ON RIGHT OF ACCESS. SEVERAL NEW PROPOSALS HAVE NOW BEEN INTRODUCED INCLUDING GROUP OF 77-SPONSORED TEXT PROPOSED AS A SUBSTITUTE FOR ALTERNATIVES ON ENTERPRISE AND MIXED SYSTEM AND JAMAICAN PROPOSAL WHICH EMPHASIZES NEED TO DEFINE EXPLOITATION SYSTEM IN TERMS OF SPECIFIC INTERESTS IT MUST PROTECT. CHANGES WERE ALSO MADE IN ARTICLE 10 ON PRODUCTION CONTROLS WITH U.S. AMENDMENT EMPHASIZING THAT EXPLOITATION OF RESOURCES SHOULD BE CARRIED OUT IN A MANNER TO PRODUCE MAXIMUM BENEFITS TO PRODUCERS AND CONSUMERS OF RAW MATERIALS AND THE PRODUCTS MADE FROM THEM.

B. DISCUSSION OF ARTICLE ON PRODUCTION CONTROLS FOLLOWING ON UNCTAD SPEECH LAST WEEK LED NUMBER OF DELS TO RAISE QUESTIONS ABOUT ECONOMIC IMPLICATIONS OF SEABED MINERAL PRODUCTION WHICH HAS PREVIOUSLY BEEN RAISED BY LAND-BASED PRODUCERS AND NOT BY THE MAJORITY OF CONSUMING STATES. CHAIRMAN ENGO SUGGESTED POSSIBILITY OF ORGANIZING PRIVATE SEMINAR WHERE ECONOMISTS FROM VARIOUS DELEGATIONS COULD EXPLAIN IN SIMPLE TERMS PROBABLE ECONOMIC EFFECTS OF SEABED PRODUCTION, AND DIFFICULTIES WITH SOLUTIONS SUCH AS PRODUCTION CONTROLS.

3. COMMITTEE II-STRAITS, TERRITORIAL SEA, ECONOMIC ZONE, ETC:

A. DEBATE ON STRAITS ITEM CONTINUED DURING WEEK WHILE CHAIRMAN REVISED AND PRESENTED NEW WORKING PAPER ON AGENDA ITEM ON TERRI-UNCLASSIFIED

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PAGE 03 CARACA 07084 01 OF 02 291216Z

TORIAL SEA. US STATEMENT ON STRAITS EMPHASIZED "CENTRAL IMPORTANCE" WHICH US ATTACHES TO ACCEPTABLE REGIME. USSR EXPLAINED THEIR DRAFT ARTICLES, EMPHASIZED DAMAGE TO FLOW OF COMMERCE FOR ANY HINDRANCE TO PASSAGE, AND SAID THEY WOULD NEVER AGREE TO INNOCENT PASSAGE REGIME IN STRAITS CONNECTING TWO PARTS OF HIGH SEAS. STATEMENTS DURING WEEK SHOWED MARKED SHIFT IN FAVOR VARIOUSLY PHRASED UNIMPEDED PASSAGE REGIME WITH DENMARK AND FINLAND INTRODUCING AMENDMENT TO UK ARTICLES WHICH WOULD EXCLUDE FROM ANY NEW

TRANSIT REGIME STRAITS LESS THAN SIX MILES WIDE AND HENCE PRESENTLY
OVERLAPPED BY TERRITORIAL SEAS.

B. IN US STATEMENT, JOHN NORTON MOORE SAID THAT THERE COULD BE NO
SUCCESSFUL CONFERENCE UNLESS STRAITS QUESTION WAS ADEQUATELY
RESOLVED. STATEMENT WENT ON TO DEAL WITH EXPRESSED CONCERNS OF STATES
AND REPEATED THAT RIGHT SOUGHT WAS ONE OF TRANSIT AND NOT A RIGHT
TO ENGAGE IN ACTIVITIES INIMICAL TO THE SECURITY OF THE COASTAL
STATES. SHIPS WOULD PASS IN THE NORMAL CODE USING CUSTOMARY
NAVIGATIONAL ROUTES AND APPLICABLE TRAFFIC SEPARATION SCHEMES.
US SUPPORTS OBLIGATION TO RESPECT INTERNATIONAL SAFETY AND
POLLUTION REGULATIONS, AND ENFORCEMENT OF INTERNATIONALLY
APPROVED TRAFFIC SEPARATION SCHEMES BY THE COASTAL STATE.
US ALSO URGED COASTAL STATES TO SEEK SPECIAL INTERNATIONALLY
APPROVED REGULATIONS FOR STRAITS WHICH MAY REQUIRE SPECIAL
TREATMENT FOR SAFETY OR ENVIRONMENTAL REASONS. PART OF STATEMENT
DEALT WITH INTERNATIONAL IMPORTANCE OF RIGHT OF OVERFLIGHT OF
STRAITS, POINTING OUT THAT CHICAGO CONVENTION DIFFERENTIATES
BETWEEN FLIGHTS OVER TERRITORY WHICH ARE SUBJECT TO STATE CONSENT
AND FLIGHTS OVER HIGH SEAS WHICH ARE NOT, AND THAT CHICAGO
CONVENTION DOES NOT APPLY TO STATE AIRCRAFT. HENCE FAILURE TO
PROVIDE FOR OVERFLIGHT WOULD SERIOUSLY ALTER BASIC RIGHT.

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PAGE 01 CARACA 07084 02 OF 02 291219Z

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C. IN CONTRAST TO GENERALLY CONSTRUCTIVE TONE OF STATEMENTS, TANZANIA MADE MOST EXTREME STATEMENT TO DATE REFUSING TO CONSIDER RIGHTS OF OVERFLIGHT OR ANY DIFFERENCE BETWEEN STRAITS AND TERRITORIAL SEAS, AND SUPPORTED NEED FOR ADVANCE NOTIFICATION EVEN FOR INNOCENT PASSAGE OF WARSHIPS.

D. AT WEEKS END, COMMITTEE II CHAIRMAN CIRCULATED REVISION OF PAPER ON TERRITORIAL SEA WHICH ACCOMMODATES STATES SUPPORTING INCLUSIONS OF ITEMS ON INNOCENT PASSAGE, AND ON ARCHIPELAGOS. AT SUGGESTION OF MEXICO, IT WAS AGREED THAT WORKING PAPERS ON EACH ITEM WILL BE UNCLASSIFIED

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PAGE 02 CARACA 07084 02 OF 02 291219Z

LIMITED TO THE ORIGINAL DRAFT AND TWO REVISIONS.

4. COMMITTEE III: MARINE POLLUTION AND SCIENTIFIC RESEARCH.

A. INFORMAL SESSIONS ON MARINE POLLUTION BEGAN REVIEW OF TEXT DRAFTED IN SEABED COMMITTEE. MOST SIGNIFICANT OF NEW AMENDMENTS WOULD ESTABLISH VIRTUAL DEVELOPING COUNTRY EXEMPTION FROM INTERNATIONAL ENVIRONMENTAL REGULATIONS. BRAZIL AND INDIA FAVORED CHANGING ARTICLE ON OBLIGATION TO CONFORM TO GENERALLY ACCEPTED INTERNATIONAL STANDARDS FOR MARINE BASED SOURCES OF POLLUTION TO AN OBLIGATION MERELY TO TAKE SUCH STANDARDS INTO ACCOUNT. ANOTHER AMENDMENT WOULD REQUIRE THAT AN ECONOMIC DEVELOPMENT FACTOR BE CONSIDERED IN DEVELOPING INTERNATIONAL STANDARDS. SMALL INFORMAL GROUP WILL WORK ON AMENDMENTS TO PREVIOUSLY DRAFTED ITEMS WHILE COMMITTEE CONSIDERS ITEMS NOT DISCUSSED IN DETAIL IN SEABED COMMITTEE.

B. SCIENTIFIC RESEARCH: US STATEMENT ON SCIENTIFIC RESEARCH EMPHASIZED THAT A "CONSENT REGIME" WOULD NOT FURTHER BADLY NEEDED MARINE RESEARCH THAT OCEANIC PROCESSES DO NOT RESPECT MAN-MADE BOUNDARIES, AND OUTLINED A SERIES OF OBLIGATIONS WHICH IF IMPOSED UPON THE RESEARCHER WOULD ADEQUATELY PROTECT THE INTERESTS OF THE COASTAL STATE. (SEE WIRELESS

FILE FOR TEXT OF US STATEMENTS).

STEVENSON

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